

DEPARTMENT OF STATE

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WASHINGTON



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MEMORANDUM FOR THE FILES

From: S. Klaus

Subject: JIOA Meeting, May 21, 1946.

May 21, 1946.
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After notice received by telephone yesterday, I went to a meeting in room 3166 (apparently the new offices of JIOA) in the New War Department Building. In addition to Nev, Duborg, Hagood and Cranford, there were also present a Colonel Hazel of JAG and a Colonel Butt (?) of Wright Field. Apparently there had been some discussion when I arrived, and I gathered in the course of the meeting that there had been meetings of the group to which I had not been invited.

Colonel Hazel, who came for the Air Forces, had been reading up the legal sources on immigration requirements but apparently not thoroughly enough. I noticed a memorandum of legal opinion from the Air Forces JAG concerning the propriety of the employment by the War Department of aliens. The memorandum of opinion was dated May 1, 1946 and purported to deal with the case of Germans employed as civilians with post of duty in Frankfurt temporarily in the United States, for interrogation on a per diem basis. The opinion was that the case did not fall within Public Law 334, Section 206, providing for the employment of United States citizens. In the course of the discussion Hazel made the point that the Army could continue to employ aliens in the military establishment presumably by some such device.

It appeared that the Navy Department had not designated a member for the legal subcommittee but was considering designating a Lieut. Commander Coleman for the security subcommittee, if Coleman would be acceptable as a civilian (Coleman is leaving the Navy as an officer on active duty). Colonel Booth of JAG had apparently been designated by the Army but had not been officially notified. It was finally agreed on this

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subject that the subcommittee would meet with Captain Wev tomorrow morning and would be instructed and thereafter communicate with me. The conversation on this subject indicated general agreement that there should be standard contract provisions on security along the lines which I had proposed on prior occasions. Both Colonel Hazel and Colonel Butt concurred and Colonel Hazel seemed impressed with the necessity of such provisions. Colonel Hazel had not seen my memorandum to Mr. Somers and Colonel Hagood promised to give him a copy.

In the course of the discussion Captain Wev said that he had received corroboration of my statement that the President had indicated a willingness to permit only "a few" scientists in. He said he didn't know what a few was but it was obvious that they could not get many in. I made the point that it would be desirable, therefore, to present us with top priority names so that we would be dealing with the minimum falling within the President's thought and I pointed out further that we could not act with respect to visas until the President had formally opened up the quota to such cases. It was finally agreed that each of the Services would pick the top ten names on a priority basis for informal submission to us, and to the Department of Justice, in order to start the ball rolling on practical requirements and investigations, etc. At the same time, however, Colonel Hagood agreed to send me whatever information there was on other names which would be proposed in all probability for entrance so that we might get a clearer idea of the actual situation case by case.

Colonel Hagood stated in reply to my question that he had not received from Germany the CIC dossiers, although that had been promised to him. Colonel Butt stated that he had brought in copies of the dossiers on scientists at Wright Field and Captain Wev said he would send those to me.

It appeared further from Colonel Hagood that FIAT is preparing statements on the denazification records of scientists in question.

On the issue of families, I reiterated that we would have to have information on each family member as an individual. It was agreed that priority would be requested in this area for those families that were involved in the top priorities.

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In the course of the discussion, I made it clear that from my experience in the field anybody brought in as an assistant to a scientist on the theory that the assistant's presence was needed to enable the scientist to do work would have to be substituted ultimately by an American. I mentioned the Immigration doctrine that experts may be permitted in to teach Americans an art, but might have to return after their teaching was over.

Captain Wev finally raised the issue of the formulation by this committee of a denial program. It appeared that this matter had been raised at a prior meeting, and I was given a copy of a draft prepared by Colonel Hagood on this subject together with comments by Captain Duborg. I pointed out for the record that I had suggested that the committee undertake this program at the very first meeting of the committee. I pointed out that such a program would be necessary for those cases where denial was required but the applicants could not pass our requirements for visa entry. I also pointed out that it was desirable to explore the possibilities of a place outside the United States, since we might be met with habeas corpus applications. Colonel Hagood stressed the point that the present "Overcast" "Paper Clip" programs covering scientists here as prisoners of war, or in military custody, was of a short-term character but could be extended for our case. I pointed out that according to my information we had been expected by SWNCC to formulate the security requirements for the denial program although the cases we had before us were cases primarily in which voluntary immigration was involved. It was agreed that the next meeting on Tuesday morning, May 28, should be devoted to the denial program.

In the course of the meeting Captain Wev stated that on May 3, or thereabouts, he had requested the State Department to name a member of the security subcommittee. I stated that I had received no such information but that Mr. Dennis Flinn had been designated for that purpose and had been awaiting a call. Captain Wev stated that he would call Flinn direct.

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